

REMARKS

This amendment is being submitted with a petition for a one month extension of time, and authorization to charge the required fee.

Examiner objected to the use of "Formula I" in claims 1, 74 and 74. These claims have been amended as suggested by Examiner. Withdrawal of the rejection is respectfully requested.

Examiner has rejected claims 1, 5,-11, 14-17, 19, 21-24 and 73 in view of WO2004/047878 ("Rathore et al") under 35 U.S.C. 102(f).

Rathore et al. includes two inventors who are also inventors on the present application, Diana Zanini and Douglas Vanderlaan. Applicants submit herewith a declaration from common inventor Dr. Diana Zanini. Dr. Zanini one of the listed inventors on the present application, which includes, in Example 2, Table 2, formulations G with silver and cystamine (see page 43). The lens formulation used in Example 16 of Rathore et al., is the same as formulation G in the present invention. As noted in the declaration from Dr. Zanini, she is the inventor of the subject matter disclosed in Example 16 of Rathore, et al. and is also an inventor in the present application. Accordingly, Applicants submit that the present declaration traverses the rejection based upon 35 U.S.C. 102 (f), as the declaration clearly shows that Example 16 of Rathore et al. was not invented by "another", but was invented by a named inventor of the present application, Dr. Diana Zanini. Applicants respectfully submit that the rejection based upon 35 U.S.C. 102(f) has been traversed.

Applicants also submit Allowance of the claims is respectfully requested.

Respectfully submitted,

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